

BOARD OF SELECTMEN

Minutes of the Meeting of 17 January 2007 at 6:00 PM. The meeting took place in the Court Room, Town and County Building, Nantucket, MA 02554. Members of the Board present were Brian Chadwick, Douglas Bennett and Michael Kopko and Whiting Willauer. Catherine Flanagan Stover was absent. Chairman Willauer called the meeting to order at 6:00 PM.

Announcements. Chairman Willauer announced the "One Book, One Island" program sponsored by the Atheneum to promote reading and literacy. Mr. Bennett moved to approve the related proclamation. Mr. Chadwick seconded. So voted unanimously.

Public Comment. None.

Approval of Minutes of 3 January 2007. The Board approved the minutes by unanimous consent.

Approval of Payroll Warrant for Week Ending 14 January 2007. The Board approved the payroll warrant by unanimous consent.

Approval of Pending Contracts for Week Ending 17 January 2007. The Board approved the pending contracts by unanimous consent.

Public Hearings

1. Public Hearing to Consider Verizon New England, Inc., Petition No. 06-035 for a Joint Pole Relocation on Hooper Farm Road. Town Administrator Libby Gibson advised the Board that this matter has been withdrawn by Verizon due to a cancellation of the relocation.

2. Public Hearing to Consider Amending the Town of Nantucket Regulations for the Use of Town-Owned Beaches with Regard to Town-Owned Land Adjacent to Ponds and Pond Areas. Chairman Willauer opened the public hearing and Ms. Gibson provided background information about the issue arising from a citizen request for renting kayaks at Miacomet Pond. She noted a recommendation by the Beach Management Advisory Committee to prohibit commercial activity around the ponds and added that Town Counsel has reviewed the revised regulations. BMAC Chairperson Maureen Beck spoke in support of the additional language in the regulations and noted public input at the committee meeting on the subject, which stressed the protection of the ponds. Ms. Gibson reviewed the definition of "commercial activities." Discussion followed on ancillary beach use. Leslie Johnson of the Land Bank spoke in support of the regulations. Edie Ray of BMAC noted that there was no one present at the committee's meetings in opposition to the restriction of commercial activity and added that the committee is not advocating denial of access to ponds. Mr. Chadwick thanked the BMAC for its work on this project. Chairman Willauer closed the public hearing. Mr. Kopko moved to approve the amendments to the Town of Nantucket Regulations for the Use of Town-Owned Beaches with Regard to Town-Owned Land Adjacent to Ponds and Pond Areas. Mr. Chadwick seconded. So voted with Mr. Chadwick, Mr. Kopko and Chairman Willauer voting in favor. Mr. Bennett voted in opposition.

3. Public Hearing to Allow Citizen Input Regarding the Final Draft of the Nantucket and Madaket Harbors Plan. Chairman Willauer opened the public hearing. Ed Sanford shared a request regarding language edits or deletion of the goal on docks, wharves and piers. Marine Superintendent Dave Fronzuto provided background information on hearings and public input to

date and noted the latest set of changes have only recently occurred. He added that the public comment period could be extended by the Board and asked that any comments be provided in writing to the Harbor Plan Review Committee. He advised that it would likely be approximately a year for the document back from the state. Mr. Kopko spoke in support of continuing the public hearing to February 21 and of the important work of the committee. Maurice Gibbs shared concerns and recommendations he also provided in writing. Discussion followed on the procedural steps of going from a plan to a regulation. Urban Harbors Institute consultant Jack Wiggins spoke to Chapter 91 specifics and noted that the plan has been developed up to now as it applies to harbors. Chairman Willauer clarified that comments should be submitted to the Town Administration or Marine Department offices. Sarah Oktay added that comments via the web are also possible. Discussion followed on committee public hearing location and timing options. Chairman Willauer closed the public hearing. Mr. Kopko moved to extend the public comment period and to schedule another public hearing on February 21, 2007. Mr. Chadwick seconded. So voted unanimously.

Town Administrator's Report

1. Request for Approval of Proclamation of Implementation of National Incident Management System (NIMS). Police Chief Bill Pittman reviewed the request, providing an explanation of the system that all governmental entities are required to adopt and implement as part of Homeland Security initiatives. Mr. Bennett moved to approve the proclamation (that the Town and County of Nantucket will utilize the National Incident Management System as the standard for incident management; and effective immediately the Director of Emergency Management for the Town and County of Nantucket is designated as the single point of contact with the authority to serve as the principal coordinator for overall NIMS implementation.) Mr. Chadwick seconded. So voted unanimously. Ms. Gibson noted that the request would also come before the County Commission at its January 24, 2007 meeting.

Selectmen's Reports/Comment.

1. Action on Proposal to Engage Technical Consultant to Review Proposed Sconset Beach Erosion Control/Nourishment Project and Associated Permit Applications, Reports. Chairman Willauer introduced the matter. Ms. Gibson advised that a request for proposals can be developed and invited the Board to share any scope of services suggestions or preferences. Ms. Gibson reminded the Board of procurement law and noted policy decisions for the Board regarding the gift of SBPF of funding to cover a consultant and regarding working through an RFP process to engage a consultant. Discussion followed on data sources, addressing the Town's concerns and those of Sconset property owners, and Town Counsel direction. Cheryl Bartlett of the Sconset Beach Preservation Fund suggested that if the Board would sign the Notice of Intent it could be followed by the assignment of a consultant. Dr. Oktay indicated that quick turnaround is possible for an RFP, clarified the Conservation Commission jurisdiction and advised that requirements of the Town and the Con Com could differ. Discussion followed on development of the scope of services. Mr. Kopko moved that the Board direct Town Administration staff to develop an RFP to hire a consultant to provide a review of the SBPF proposed beach nourishment project's technical and other data relating to the project. Chairman Willauer seconded. Mr. Chadwick asked for an amendment so as to hire a consultant within three weeks. On the original motion, all voted in

favor. Mr. Kopko asked the Board to schedule an extra public hearing for educational purposes on the project in anticipation of a related article at the 2007 Annual Town Meeting. There was no support. Chairman Willauer suggested the Board discuss the process for informing the public at the next Board meeting, to which the Board agreed.

2. Review of Draft 2007 Annual Town Meeting Warrant Articles. Ms. Gibson advised that this matter is actually scheduled for a meeting tomorrow morning and welcomed questions, but there were none.

3. Review of Meeting Schedule. Ms. Gibson reviewed the Board's upcoming meetings.

Mr. Kopko spoke on his attendance at the Massachusetts Municipal Association Annual Conference this past weekend.

Mr. Bennett asked to add an agenda item to the meeting of February 7, 2007 for a presentation on the "Kyoto Treaty." The Board consented to this.

The meeting adjourned at 7:50 PM.

Approved the 7th day of February 2007.